

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

NEW MEXICO UNITED FOOD AND
COMMERCIAL WORKER UNION'S AND
EMPLOYERS' HEALTH AND WELFARE
TRUST FUND, on behalf of itself and all others
similarly situated,

Plaintiff,

v.

PURDUE PHARMA L.P., *et al.*,

Defendants.

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, the exhibit attached thereto, and upon all papers and proceedings heretofore had herein, Defendants Abbott Laboratories and Abbott Laboratories, Inc. (together, "Abbott") shall petition this Court on such date to be determined by the Court at 500 Pearl Street, New York, New York, 10007-1312, for an order (i) pursuant to Federal Rule of Civil Procedure 12(b)(1) dismissing with prejudice all of Plaintiff's claims as to Defendant Abbott, and (ii) granting Defendant Abbott such other and further relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that answering papers, if any, must be served on the undersigned counsel within ten (10) business days after service of this notice.

PLEASE TAKE FURTHER NOTICE that reply papers, if any, must be served within five (5) business days after service of the answering papers.

Dated: October 9, 2007
New York, New York

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By: 
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